

U.S. Patent Application Serial No. 10/551,373  
Reply to OA dated March 17, 2009

**REMARKS**

Claim 12 is added. The Applicants respectfully submit that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated March 17, 2009.

In the Office Action, the drawings were objected to because FIG. 5 should be labeled as prior art. Attached herewith is a replacement drawing sheet for FIG. 5, with the notation "Prior Art". Removal of the objection is respectfully requested.

In the Office Action, Claims 8 and 9 were objected to under 35 C.F.R. §1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Claims 8 and 9 have been canceled without prejudice or disclaimer

Removal of this rejection is respectfully requested in view of the cancellation of Claims 8 and 9.

In the Office Action, Claims 8 and 9 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Removal of this rejection is respectfully requested in view of the cancellation of Claims 8 and 9.

In the Office Action, Claims 1-9 and 11 were rejected under 35 U.S.C. §102(b) as anticipated

U.S. Patent Application Serial No. 10/551,373  
Reply to OA dated March 17, 2009

by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Forte et al. (U.S. Patent No. 6,071,651); and Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over Forte as applied to Claims 1-9 and 11 above, and further in view of Zguris (U.S. Patent No. 6,306,539). Reconsideration and removal of these rejections are respectfully requested in view of the present claim amendment and the following remarks.

The Office Action primarily relies on Forte et al. in all of the rejections. Forte et al. is concerned with a resilient battery separator, for use in a starved electrolyte battery. The separator is made of an air laid fibrous mat. In the Background of the Invention portion of Forte et al., beginning at col. 2, line 14, the process for making the mat of Forte et al. is compared with prior art wet laid processes of making mats, which in general is the process of the present invention.

It is respectfully submitted that the Office Action states that Forte et al. teaches a separator in which the fiber distribution is uniform in the longitudinal and the cross directions of the separator, and the fiber orientation is at random in the longitudinal and the cross directions of the separator. However, Forte et al. only teaches that the fiber distribution is uniform throughout its thickness. Furthermore, Forte et al. does not teach that the fiber orientation is at random in the longitudinal direction. Forte et al. teaches only a "resilient" fibrous mat and the Office Action does not point out that "resilient" is equal to "at random".

In the Background of the Invention portion of Forte et al., Forte et al. is compared with prior art of a wet laid process of making mats and points out a problem of the wet laid process. However, it is respectfully submitted that Forte et al. does not teach the claimed invention made by a wet

U.S. Patent Application Serial No. 10/551,373  
Reply to OA dated March 17, 2009

process. Therefore, "a paper sheet formed by wet process" in present claim 1 defines not only a process but a product.

In view of the above remarks, removal of the above-cited rejections is respectfully requested.

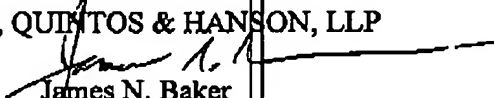
In view of the aforementioned amendments and accompanying remarks, Claims 1-7 and 10-12, as amended, are believed to be patentable and in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicants' undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

KRATZ, QUINTOS & HANSON, LLP

  
James N. Baker  
Agent for Applicant  
Reg. No. 40,899

JNB/ak

Atty. Docket No. 050643  
Suite 400  
1420 K Street, N.W.  
Washington, D.C. 20005  
(202) 659-2930



23850

PATENT & TRADEMARK OFFICE

Enclosure: Replacement Drawing Sheet (FIG. 5)